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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Uzoh et al.

Atty Docket No. 042496/0276090
Client Ref. NT-013-D

Serial No. 09/905,335

Group Art Unit 1753
Examiner: K. Mayekar

Filed: July 13, 2001

Confirmation No. 6975
Customer No. 27498

Title: **Packaging Deposition Methods**

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this communication and any attachments are being transmitted via facsimile to 703-872-9306, Group 1753, MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on


Kathleen M. Smith

AMENDMENT and RESPONSE TO OFFICE ACTION

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a response to the Office Action mailed March 11, 2004.

Request for Extension of Time

Applicants request a three-month extension of time from June 11, 2004 to the date hereof to submit this Response. The Commissioner is authorized to charge deposit account 50-2213 (Order No. 042496-0276090) for the requisite three-month large entity extension fee of \$950.00.

Please amend the application as follows:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of
Inventor(s): Uzoh et al.

PATENT
APPLICATION

Serial No. 09/905,335

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TERMINAL DISCLAIMER

By Owner

Re Double-Patenting Rejection

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The owner, Nutool, Inc. of 100% interest in the instant application, by virtue of an Assignment recorded July 13, 2001 at Reel 012000 / Frame 0083, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the fully statutory term defined in 35 USC 154 and 173, as presently shortened by any terminal disclaimer, of prior patent 6,176,992 issued January 23, 2001. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer., in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is attorney of record.